IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.7141 OF 2005

Mr.Asad Gulammurtuza Fakih & Ors. : Petitioners

V/s.

Divisional Joint Registrar, Co-operative Societies, Konkan Division & Ors. : Respondents

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Mr.S.A.Pawar for the petitioners.

Mr.D.A.Patil, Asstt. Govt. Pleader for the respondents.

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CORAM : S.A. BOBDE, J.

October 18, 2005.

P.C.:

1. Rule, returnable forthwith.

Mr.Patil, the learned Asstt. Govt. Pleader waives service of rule on behalf of the respondents. Heard by consent.

2. The only grievance of the petitioners is that their application for stay filed along with the appeal under section 152 of the Maharashtra Co-operative Societies Act, 1960, against the order of supersession has not been considered. Having regard to the circumstances of the

case, the Divisional Joint Registrar, Co-operative Societies, is directed to consider the stay application within a period of one week from 21.10.2005 on which date the petitioners shall appear before the Divisional Joint Registrar. Till decision on the said application, the respondents shall maintain status quo as on today. The Divisional Joint Registrar is free to decide the said application on merits, in accordance with law. The Divisional Joint Registrar is also directed to dispose of the appeal within six months from the next date.

3. The rule stands disposed of in the above terms.

S.A. BOBDE, J.